



# Israel and the Occupied Territories

## Road to nowhere

December 2006

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Cover image: Palestinian schoolgirls at an Israeli checkpoint on their way to school in Hebron, 23 November 2005.

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Back cover image: Palestinian trees uprooted by Israeli bulldozers, November 2006. © AI



# ISRAEL AND THE OCCUPIED TERRITORIES: ROAD TO NOWHERE

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**One of the Athamna family homes  
in Beit Hanoun in the Gaza Strip  
that was destroyed by Israeli  
artillery shells on 8 November 2006,  
killing 18 members of the family.**



# Israel and the Occupied Territories: Road to nowhere

## 1. Introduction

**S**ix years since the outbreak of the latest intifada and the effective collapse of the Israeli-Palestinian peace negotiations, the human rights situation in the Occupied Territories – the Gaza Strip and West Bank, including East Jerusalem – has deteriorated to an unprecedented level. Prospects for a just and durable resolution of the conflict appear to be remote.

The undercurrent of violence, abuses of fundamental human rights and disregard for international law, which have marked the 40-year Israeli military occupation of the West Bank and Gaza Strip, have become firmly entrenched and relentless. Civilians in both Israel and the Occupied Territories have borne the brunt of the confrontations.

Some 4,000 Palestinians, most of them unarmed civilians and including some 800 children, have been killed by Israeli forces in disproportionate and reckless bombardments as well as shelling and shooting by Israeli forces into densely populated residential areas and refugee camps throughout the Occupied Territories in the past six years. In the same period some 1,100 Israelis, 700 of them civilians and including 120 children, have been killed by Palestinian armed groups in shooting attacks, suicide bombings in civilian areas and indiscriminate rocket attacks. Tens of thousands of Palestinians and thousands of Israelis have been injured, many maimed for life.

In addition to the loss of life on both sides, Palestinians throughout the Occupied Territories have suffered a plethora of other human rights abuses. Israeli forces have destroyed thousands of Palestinian homes, vast areas of cultivated land and much crucial

civilian infrastructure, including electricity power plants, roads, bridges and water, sewage and telephone networks. Ever increasing restrictions imposed on the movements of Palestinians and of goods, within as well as in and out of the Occupied Territories, have made any semblance of normal life impossible.

Hundreds of military checkpoints and blockades, and a fence/wall being built by Israel throughout the West Bank despite being declared unlawful by the International Court of Justice, increasingly hinder or prevent Palestinian access to their land, places of work, schools, hospitals and other medical facilities. The route of the fence/wall, the location of the military checkpoints, and closures – all of which impede the movement of Palestinians – are determined by the presence and location of Israeli settlements. These settlements were built for the exclusive use of Israeli settlers on seized Palestinian land throughout the West Bank and illegal under international law. In the Gaza Strip, the one area from which Israeli settlers have been removed, the closure imposed by Israeli forces keeps the 1.4 million inhabitants cut off and isolated from other parts of the Occupied Territories and from the rest of the world for most of the time.

These measures and restrictions, which the international community has acknowledged constitute the prime cause for the virtual collapse of the Palestinian economy in recent years, have been compounded in 2006 by the Israeli government's decision to withhold the customs duties it collects on behalf of the Palestinian Authority (PA) and by the decision of the international community to cut aid to the PA following the formation of a Hamas-led administration in March 2006. The consequence, as predicted, has been a sharp increase in poverty, unemployment and health problems among Palestinians, and an overall deterioration of the humanitarian situation to an unprecedented level.<sup>1</sup> Despair and lack of hope about the

<sup>1</sup> *Israel and the Occupied Territories: Amnesty International calls for international action to prevent human rights deterioration in the West Bank and Gaza Strip* (MDE 15/035/2006).

## INTERNATIONAL RESPONSE AND THE LAW

The UN Security Council has repeatedly called on Israel to withdraw from the territories it has occupied since 1967 as part of a peace agreement with its neighbours and to dismantle and cease the establishment of settlements in the territories it occupies. The West Bank and Gaza Strip are territories subject to the 1949 Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, which applies to situations of occupation. This position is supported by the International Committee of the Red Cross (ICRC) and by numerous resolutions of the UN Security Council.

The Israeli government maintains that it does not regard the Fourth Geneva Convention as legally applicable to the West Bank and Gaza Strip, although it has affirmed that Israel would respect in practice the Convention's "humanitarian provisions" – without ever specifying clearly which provisions it regards as "humanitarian".

The Fourth Geneva Convention prescribes rules for an occupying power in relation to the inhabitants, who are described as "protected persons". Among other things, the rules prohibit the occupying power from wilfully killing, ill-treating or deporting protected persons. It also prohibits it from transferring its own civilian population into the territory, and from carrying out reprisals or collective punishments.



foreseeable future fuel violence and the radicalization of a predominantly young Palestinian population whose prospects for employment and a normal life are virtually nil.

The international community has repeatedly expressed concern but has taken little concrete action to help end this spiral of violence and despair. Past peace plans and agreements generally have attached little weight to fundamental human rights and the requirements of international law, and so they have invariably failed. They have provided proof positive that subordinating fundamental human rights and justice to short-term political considerations is not an adequate recipe for achieving durable peace and security, and may even have made the situation worse. Ultimately, only a just settlement, which respects the human rights of all parties, will endure.

Both the Israeli and Palestinian sides have a duty to respect fundamental rights, regardless of whether or not they are engaged in a peace process. Their obligation to abide by international law, and the international community's responsibility to ensure that both sides adhere to their obligations, must not rest or be conditional on other political processes or considerations. That too is a recipe for failure and further abuse.

**Palestinians run to avoid Israeli fire during an Israeli army incursion in Beit Lahiya, northern Gaza Strip, 7 July 2006.**

## THE ROAD MAP

In 2003, a peace plan known as the Road Map was agreed by Israeli and Palestinian leaders under the auspices of the “quartet” — the UN, USA, European Union and Russian Federation. Under the agreement, which was endorsed by the UN Security Council in November 2003, Palestinian armed groups were to cease attacks against Israelis, and the Israeli authorities were to cease assassinations of Palestinian leaders and activists, end house demolitions, freeze development of Israeli settlements in the Occupied Territories, remove the settlements built after 2001, and ease movement restrictions on the Palestinian population.

Despite their commitments, however, both sides continued to carry out blatant and widespread human rights abuses, some amounting to war crimes or crimes against humanity, and were able to do so with impunity. The international community failed to put either side under sufficient pressure to ensure their compliance with international law, including investigating and bringing to justice those responsible for grave abuses. Rather, attacks mounted against civilians and actions constituting collective punishment were characterized only obliquely and tentatively as “actions undermining trust”.

From the outset, the Road Map provided no human rights framework for peace. It contained scant reference to human rights safeguards and no mechanisms to ensure compliance. Negotiations quickly collapsed amid mutual recrimination.

The indifference shown by both sides to addressing human rights concerns, and their lack of commitment to implementation, further eroded trust between Palestinians and Israelis. Israeli forces continued to target Palestinian militants in extrajudicial executions and to commit other unlawful killings. Rather than dismantling settlement outposts, Israeli authorities permitted continued expansion of settlements and seizures of Palestinian land. Meanwhile, the PA failed to take effective action to stop and prevent suicide bombings, rocket launches and other attacks against Israelis by Palestinian armed groups.

The past six years have highlighted that human rights abuses lead nowhere. The international community must take urgent steps to ensure that both parties cease the abuses they are committing and comply with their obligations under international law. There is a need to take measures aimed at immediately ending attacks on civilians by both Israeli forces and Palestinian armed groups, and to address the other long-standing violations of international law that lie at the root of the conflict and continue to fuel tension and violence. The international community must put effective pressure on both sides to work resolutely to bring about fundamental changes in the systems and mechanisms which have allowed unlawful killings and other grave human rights violations to take place with impunity. Notably, both the Israeli government and the PA must undertake to:

- » **Act without delay to end serious and ongoing abuses.** They must ensure respect for fundamental human rights by all those under their jurisdiction, notably by ending attacks on civilians by armed forces and armed groups operating in Israel and the Occupied Territories. The Israeli authorities in particular must also end the destruction of homes; closures and other collective punishments; the construction of the fence/wall inside the

<sup>2</sup> In 2005 Israeli forces killed 190 Palestinians, including 50 children, and Palestinian armed groups killed 50 Israelis, six of them children.



West Bank; and the construction or expansion of settlements. The Palestinian Authority must also end inter-factional violence affecting civilians.

- » **Ensure accountability for abuses.** Both sides must take concrete measures to end the pervasive impunity which characterizes this conflict and bring to justice the perpetrators of human rights violations. The international community must also seek to prosecute those responsible for war crimes or other crimes under international law, through the exercise of universal jurisdiction.
- » **Agree the deployment of international human rights monitors and co-operate with them.** The international community must proactively engage both sides to respect human rights and accept such international assistance.
- » **Place human rights at the heart of any peace process,** as essential to achieving durable peace and security. Key issues to be addressed in this context, in accordance with international law, include the removal of Israeli settlements in the Occupied Territories; the dismantling of the sections of the fence/wall inside the Occupied Territories; ending the closures; and in the long term a fair solution to the refugee question.

## 2. Spiralling violence: civilians bear the brunt

The sharp upsurge in violence and human rights abuses which has marked 2006 reversed a trend towards a cessation of attacks by both sides agreed by Israeli Prime Minister Ariel Sharon and Palestinian President Mahmoud Abbas in February 2005. Under the agreement Hamas and other Palestinian armed groups pledged to observe an informal ceasefire (tahadiyeh or "quiet"), a pledge they largely upheld. As a result, for the first time since the outbreak of the intifada five years earlier, the number of Palestinian and Israeli deaths was reduced significantly in 2005.<sup>2</sup>

During 2006, the trend of fewer Israelis being killed or injured in Palestinian attacks has continued. However, the number of Palestinian casualties of Israeli attacks has increased sharply. By the end of November, Israeli forces had killed some 600 Palestinians, including some 100 children, mostly in the Gaza Strip.

In the past six years, civilians have been the principal victims on both sides and a large proportion of those killed have been children, some 800 Palestinian children and 120 Israeli children. In addition, tens of thousands of Palestinians and thousands of Israelis have been injured in attacks.

**Fadi al-'Arrouqi, aged 12, with his father, holding a toy that belonged to his 13-year-old sister Fadwa, who was killed with the children's mother in an Israeli air strike on 19 July 2006 in al-Maghazi, Gaza Strip.**



© AI



**A house in the southern Israeli town of Sderot that was damaged by a homemade Palestinian “Qassam” rocket fired from the Gaza Strip, 26 November 2006.**

Many of the Palestinians killed by Israeli forces in the Occupied Territories were involved in armed confrontations and attacks. However, the majority were not – and they were killed as a result of deliberate and reckless shooting, artillery shelling or air strikes by Israeli forces carried out in densely populated residential areas.

The Israeli authorities contend that their soldiers open fire only when their lives are at risk and then respond only to the source of Palestinian fire. This is far from the truth. In reality, the pattern over the past six years has been one of reckless, disproportionate and excessive use of lethal force by Israeli soldiers. The evidence is found in the thousands of unarmed Palestinian bystanders who have been killed or injured by Israeli gunfire, shelling and air strikes.

## INTIFADA BEGINS: CIVILIANS UNDER FIRE

*“Helicopters were also used in Netzarim Junction in order to neutralize the fire sources and disperse the rioters”.*

**Israel Defense Forces: summary of events as of the morning of 1 October 2000 (covering the previous day).**

On 30 September 2000, the very first day of demonstrations relating to the intifada in the Gaza Strip, Israeli troops fired live ammunition at demonstrators outside an army bunker at Netzarim/Shuhada' Junction in the Gaza Strip. Four people were killed, including a 12-year-old child and an ambulance driver carrying out rescue duties. More than 190 were injured, among them passers by and onlookers.

The next day, the Israeli army used helicopter gunships to fire on demonstrators. Although some Palestinian gunmen, armed with AK-47 assault rifles, were in or near the crowd of civilian demonstrators, they did not pose a significant danger to the Israeli soldiers who were in a highly fortified bunker. The gunmen's presence did not justify the Israeli forces' disproportionate use of lethal force against the demonstrators.

Since then, Israeli soldiers have frequently used excessive force against Palestinians. They have employed methods that violate human rights standards which require that force be used only when absolutely necessary and then only in proportion to the threat.

## 3. 'Summer Rains' and 'Autumn Clouds': nowhere safe in Gaza

On 27 June 2006 the Israeli army launched operation “Summer Rains” following an attack two days earlier by members of Palestinian armed groups on a military post inside Israel. In the attack, two Israeli soldiers were killed and another, 19-year-old Corporal Gilad Shalit, was captured. The attackers included members of the armed wing of Hamas, the governing party in the Palestinian Authority. Corporal Shalit's captors demanded the release of Palestinian women and children from Israeli jails in exchange for information about the soldier. Although negotiations are reported to be ongoing, at the end of November Corporal Shalit was still being held and had not received access to the ICRC.

The holding of hostages — that is threatening to harm or continuing to hold a detained person in order to compel a third party to do or abstain from doing something as a condition for their release — is expressly prohibited under international law.

The upsurge in Israeli killings of Palestinians in the Gaza Strip, however, predated the capture of Corporal Shalit. In the preceding months, Israeli artillery and tank shelling and air strikes killed more than 100 Palestinians, many of them unarmed civilians and including several children. The Israeli authorities said such attacks were intended to stop Palestinian armed groups firing homemade “Qassam” rockets (named after the armed wing of Hamas) into Israel, while Palestinian armed groups said their firing of rockets was intended to make Israeli forces cease their air and other attacks on Palestinians.

On 21 June 2006 Amnesty International called for an international investigation into the killing of scores of Palestinian civilians by Israeli forces in the Gaza Strip.<sup>3</sup> In one incident, an Israeli artillery strike on 9 June killed seven members of the Ghalia family, including five children, as they were having a picnic on a beach in the north of the Gaza Strip.<sup>4</sup>

The spiralling number of victims and the Israeli authorities’ failure to ensure thorough, independent and impartial investigations into alleged violations by their armed forces underscored the pressing need for a proper international inquiry.

<sup>3</sup> *Israel/Occupied Territories: Call for international investigation of Gaza strikes* (MDE 15/054/2006).

<sup>4</sup> *Israel/Occupied Territories: Israel must end unlawful killings of Palestinians and stop reckless shelling* (MDE 15/049/2006).

<sup>5</sup> *Israel/Occupied Territories: Israel must halt attacks on Gaza residential areas — children killed* (MDE 15/031/2006).

<sup>6</sup> *Israel/Occupied Territories: Civilian population at risk in Gaza* (MDE 15/065/2006).

<sup>7</sup> *Israel and the Occupied Territories: Israel must end its policy of assassinations* (MDE 15/056/2003).

<sup>8</sup> *Israel/Occupied Territories: Civilian population at risk in Gaza* (MDE 15/065/2006).

<sup>9</sup> “Muhammad Deif wounded in IAF strike”, *The Jerusalem Post*, 11 July 2006.

Two months earlier, in April 2006, Amnesty International had urged the Israeli armed forces to end immediately all air bombardments and artillery shelling of civilian residential areas in the Gaza Strip to prevent further deaths and injuries to civilians. On 10 April, Israeli artillery shells fired into the town of Beit Lahia had struck the home of seven-year-old Hadeel Ghaban, killing her and wounding her mother and other family members, including several other children.<sup>5</sup>

Operation “Summer Rains” and a subsequent Israeli military operation, “Autumn Clouds”, launched in November, were both marked by yet more reckless shelling and air strikes, excessive use of force, wanton destruction of civilian property and infrastructure, and wide disregard for international humanitarian and human rights law.<sup>6</sup>

By the end of November, the two operations and associated attacks had killed more than 400 Palestinians and injured more than 1,500 others in the Gaza Strip, including many

## EXTRAJUDICIAL EXECUTIONS

The Israeli authorities have long pursued a policy of extrajudicially executing wanted Palestinians as a substitute for arrest and prosecution.<sup>7</sup> Euphemistically described as “targeted killings”, such attacks have killed and wounded many more bystanders than targets.

Seven children and their parents were killed when an Israeli F16 fighter jet bombed their home at 2.30am on 12 July 2006.<sup>8</sup> According to the Israeli army, a senior leader of Hamas’ armed wing, Muhammad Deif, was in the house at the time of the strike, but survived.<sup>9</sup> However, the strike wiped out an entire family: the owner of the house, Nabil Abu Salmiya, a Hamas political leader and lecturer at the Islamic University, his wife Salwa and seven of their children — two boys, Nasser and Yahia, aged seven and 10, and five girls aged between nine and 17: Aya, Eman, Houda, Basma and Soumaya. Two remaining sons survived the attack, one of them with serious injuries. Several other houses were damaged in the strike, which also injured dozens of neighbours.





unarmed civilians. Some 80 of those killed were children and more than 300 children were injured. In the same period, two Israeli civilians were killed and some 20 were injured in the south of Israel by rockets fired by Palestinian armed groups from Gaza.

The Hajjaj family was one of those devastated. Members of the family were having a barbecue on the evening of 8 July 2006 when, just before 8pm, two Israeli-fired missiles struck the courtyard of their home in al-Muntar area, east of Gaza City. Amna Hajjaj, a 46-year-old mother of 13, was killed along with her five-year-old daughter Rawan and her 23-year-old son Mohamed. Four others were seriously injured: 13-year-old Khaled sustained shrapnel injuries to the head and body; 11-year-old Rani sustained severe burns, a broken arm and a broken leg; nine-year-old Ibrahim's knee was broken and he received burns and shrapnel injuries; and 26-year-old Sha'aban sustained a broken knee, burns to the legs and shrapnel injuries. When Amnesty International visited the home, shocked family members were asking why their home had been targeted, what possible reason was there for attacking their family home while they sat peacefully enjoying a barbecue?

**The remains of a car that was hit by an Israeli missile in the northern Gaza Strip, 23 November 2006.**

## SCHOOLCHILDREN KILLED

On 6 November 2006 a minibus full of children on their way to a nearby kindergarten was hit by Israeli shelling at the Jabaliya-Beit Lahia intersection, north of Gaza City. It was just before 7am during the morning rush hour, when the streets were predictably packed with adults and children going to work and school. Shrapnel from a shell that landed a few metres away flew through the vehicle's window and struck Najwa Khleif, a teacher, in the head as she held her two young children on her lap. She was rushed to Gaza City's Shifa Hospital but doctors told Amnesty International that she had sustained irreparable brain damage. She died two weeks later. In the same incident, two children, Ramzi al-Sharafi and Mahmoud Abu Hamada, both aged 16, were also killed on their way to school and at least seven others were wounded.

Later the same month, 38-year-old Hanan al-'Arrouqi, a mother of five, and her 13-year-old daughter Fadwa were killed in an Israeli air strike while they were sitting in the garden of their home on the edge of al-Maghazi refugee camp, south of Gaza City. This occurred in the late afternoon of 19 July 2006, a day on which the Israeli army made an incursion into al-Maghazi. However, Hanan's surviving children told Amnesty International that there had been no armed clashes or other disturbance near their house and that their mother and sister were sitting under a tree in the garden when they were killed.

## WAR CRIME

The Israeli authorities' deliberate and wanton destruction of civilian infrastructure and property in the Gaza Strip amounts to a war crime. The destruction and the disproportionate and arbitrary restrictions imposed by the Israeli army on the movement of people and goods into and from the Gaza Strip also amount to collective punishment of the entire population. This violates the Fourth Geneva Convention, which prohibits punishing protected persons for offences they have not committed.

Israeli forces launched further attacks on different parts of the Gaza Strip over the following months. On 1 November, the Israeli army launched operation "Autumn Clouds" in the town of Beit Hanoun, in the north-east of the Gaza Strip. During the six-day incursion, Israeli forces killed some 70 Palestinians, at least half of them civilians and including several children and two ambulance emergency service volunteers. More than 200 were injured, among them some 60 children.

As Beit Hanoun's 40,000 residents were confined to their homes under curfew, most without electricity and water, Israeli army tanks and bulldozers destroyed scores of homes and other buildings, uprooted orchards and dug up roads, water mains and sewage networks.

Israeli troops often took over houses from which they carried out attacks, thereby endangering the residents who were forced to remain in the houses. The troops effectively used the residents as human shields – even though in October 2005 the Israeli High Court of Justice outlawed the use of Palestinian civilians by Israeli forces during military operations. In previous years Israeli forces had frequently used Palestinian civilians as human shields.

Barely a day after Israeli forces ended the six-day siege of Beit Hanoun, 18 members of the Athamna family were killed and dozens of other civilians were injured when a volley of artillery shells struck their homes in a densely populated neighbourhood of the town in the early morning of 8 November. The victims, many of them children, were killed in their sleep or while fleeing the shelling, which continued for some 30 minutes. About a dozen shells landed in the area. The Israeli authorities expressed regret for the carnage, saying that the houses were mistakenly struck due to a technical failure and that the shelling was intended



to target an area some distance away.<sup>10</sup> However, in this as in other cases, the Israeli authorities rejected any question of an international investigation and to Amnesty International's knowledge, no one has been held to account for this incident.

As well as killing and injuring many Palestinians, Israeli attacks on the Gaza Strip also extensively damaged private and public property and caused further serious damage to the area's infrastructure, already heavily battered by attacks in previous years.<sup>11</sup>

## 4. Humanitarian crisis in Gaza

From the onset of operation "Summer Rains", Israeli forces increasingly resorted to the use of disproportionate force and deliberate attacks on civilian objects, with serious consequences for the lives and livelihoods of the Palestinian inhabitants of the Occupied Territories, particularly in the Gaza Strip.

On 28 June 2006, Israeli aircraft fired eight missiles into the Gaza Strip's only electricity power plant, destroying its six transformers, and bombed and destroyed the main bridges.

**Two-year-old Dima Athamna, injured in hospital, crying for her mother who was killed by Israeli artillery shelling along with 17 other members of her family in Beit Hanoun on 8 November 2006.**

<sup>10</sup> "Inquiry results regarding the incident in Beit Hanoun on November 8th 2006", Israel Defense Force website, 9 November 2006; and "Initial reaction to Palestinian claims of civilian casualties in Beit Hanoun", Israeli Ministry of Foreign Affairs, 8 November 2006.

<sup>11</sup> *Israel/OT: Growing concern for safety of civilian population* (MDE 15/060/2006) and *Israel and the Occupied Territories Under the rubble – house demolition and destruction of land and property* (MDE 15/033/2004)



*“Gaza constitutes a time bomb. Some 1.4 million people, mostly children, are piled up in one of the most densely populated regions of the world, with no freedom of movement, no place to run, and no space to hide. Virtually without external access since June, Gaza is experiencing a rise in poverty, unemployment, penury, and despair. Sadly, that which Gaza most needs today is precisely what it lacks the most: hope.”*

**Jan Egeland, UN Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, and Jan Eliasson, former President of the UN General Assembly, September 2006<sup>12</sup>**

These and other air strikes also damaged water and sewage and electricity networks. At the same time, Israeli forces air-dropped leaflets in the northern Gaza Strip warning residents of impending military strikes in the area, sowing fear and insecurity among the tens of thousands of people who live there and have nowhere else to go.

The destruction of the electricity power plant, which provided electricity to half of Gaza's 1.4 million inhabitants, seriously affected water supplies, as water pumps depend on electricity to function. Most of Gaza's inhabitants were left without electricity and water for much of the time during the hottest months of the year. Hospitals were forced to rely on generators, but Israel also restricted entry of the fuel needed to power the generators. Food and medicines, already in short supply due to the restrictions imposed by Israel on the entry of goods into the Gaza Strip, could not be refrigerated and were left to rot. In August, the UN Office for the Coordination of Humanitarian Affairs (OCHA) ascribed a 56 per cent increase in the incidence of diarrhoea among small children to poor water and food. Repairs to the electricity power plant and other damaged infrastructure were hampered by Israeli restrictions on the import of equipment, machinery and other goods into Gaza.

Although stringent restrictions on the movement of people and goods in the Occupied Territories have long been a dominant feature of Israel's policy, the extent of the blockade imposed on the Gaza Strip for most of 2006 has been unprecedented. Its consequence has been devastating.

In a period of more than three months between June and October 2006, the Rafah pedestrian crossing was open for a total of only 12 days. The repeated and prolonged closures of the Karni cargo crossing caused shortages of food and other necessities, including an unprecedented rationing of bread earlier in the year.<sup>13</sup>

The long blockade of the crossing also halted the export of Palestinian goods, causing waste of perishable agricultural exports and a loss of markets for these and other exports. The blockade resulted in the closure of 920 small factories, which in December 2005 employed 25,500 workers, as they were no longer able to export their products.<sup>14</sup> Such measures deprived Palestinians of a crucial source of income, worsening the already high level of poverty in the Gaza Strip. In addition, thousands of fishermen and other workers in

<sup>12</sup> “The Human Catastrophe of Gaza Is a Time Bomb”, *Le Figaro*, 28 September 2006.

<sup>13</sup> *Israel/Occupied Territories: Immediate action needed to avert humanitarian crisis in Gaza* (MDE 15/025/2006).

<sup>14</sup> Statement by UNRWA Commissioner-General Karen Koning AbuZayd to the Fourth Committee of the General Assembly, New York, 31 October 2006.

<sup>15</sup> Gaza Strip Situation Report, UN Office for the Coordination of Humanitarian Affairs, 10 October 2006.

## ISRAELI STRANGLEHOLD ON GAZA

In spite of the much publicized redeployment of Israeli forces from the Gaza Strip in September 2005, Israel has retained effective control over the area and the lives of its inhabitants. Israeli forces control all access points for people and merchandise into and out of the Gaza Strip: this includes the Rafah pedestrian crossing between Gaza and Egypt – Gaza's only passage to the outside world – as well as Gaza's airspace and territorial waters.

The Israeli authorities only allow merchandise to enter or leave the Gaza Strip via Israel, through the Karni crossing. They will not permit the Palestinians to rebuild Gaza's airport, which Israeli forces destroyed in 2000, nor to rebuild a seaport, which they destroyed in 2001 while it was under construction. Both projects had been funded by international donors. In 2006 the Rafah and Karni crossings have been kept closed or partially closed most of the time.<sup>15</sup>





**Palestinians inspect a bridge destroyed in an Israeli air attack on a main road near Gaza City, 28 June 2006.**

the fishing industry lost their livelihoods due to the ban imposed by Israel on Palestinians going out to sea off the coast of Gaza.<sup>16</sup>

World Bank studies in April and May 2006 predicted that the withholding by Israel of customs duties which it collects on behalf of the PA, increased closures and restrictions on the movement of people and goods within and to the Occupied Territories, and a reduced flow of aid to the PA, would cause severe economic damage in the Occupied Palestinian Territories.<sup>17</sup>

In November the UN Relief and Works Agency (UNRWA) reported a 64 per cent increase in the number of Palestinians living in deep poverty, with the situation being significantly worse in the Gaza Strip. There, according to a June 2006 survey by the Palestinian Central Bureau of Statistics, 87 per cent of the population lives in poverty and cannot support themselves and their families without international assistance.<sup>18</sup> In November 2006 the ICRC also reported that "extremely high levels of poverty were detected in Gaza, where the situation was especially bad".<sup>19</sup>

<sup>16</sup> See also "Gaza fishermen risk Israeli fire", *BBC News*, 13 October 2006.

<sup>17</sup> *West Bank and Gaza: Economic Update and Potential Outlook*, World Bank, 15 March 2006, and *The Impending Palestinian Fiscal Crisis, Potential Remedies*, World Bank, 7 May 2006.

<sup>18</sup> "UNRWA releases new study: Recent socio-economic impact of prolonged crisis in the oPt", UNRWA press release, 22 November 2006; and "Palestine Refugees: a Challenge for the International Community", Keynote Address by Karen Koning AbuZayd Commissioner-General of UNRWA, 10 October 2006.

<sup>19</sup> *West Bank and Gaza: ICRC household economy assessment*, ICRC, 21 November 2006.

## 5. Without distinction: Palestinian attacks against Israeli civilians

Since the beginning of the intifada in 2000, Palestinian armed groups have killed some 700 Israeli civilians, including 120 children, in suicide bombings and shooting attacks both inside Israel and in the Occupied Territories. Most such attacks were perpetrated prior to the informal ceasefire (tahadiyeh) agreed by the main Palestinian armed groups in early 2005, but attacks have continued since then.

Most of the victims were killed in suicide bomb attacks carried out inside Israel between 2001 and 2004 by members of the Izz al-Din al-Qassam Brigades (the armed wing of Hamas), the al-Aqsa Martyrs Brigade (an offshoot of Fatah), and the armed wing of Islamic Jihad. Other groups also perpetrated such attacks.

Suicide attacks have generally targeted civilian gathering places, such as shops, restaurants and buses. On 12 July 2005, for instance, Islamic Jihad carried out a suicide bomb attack outside a shopping mall in Hasharon, near Natania, killing five Israeli civilians, including two children. The same shopping mall had been the scene of a suicide bombing in 2001, in which five people were killed and over 100 wounded.

After the informal ceasefire (tahadiyeh) was declared, suicide attacks and killings of Israelis in general dropped significantly. While the armed wing of Hamas mostly adhered to its undertaking to maintain the informal ceasefire, other armed groups have continued to commit attacks. In particular, Islamic Jihad claimed responsibility for six suicide attacks in 2005 and early 2006, which killed 16 Israelis.

The last suicide bombing at the time of writing was committed by Islamic Jihad's armed wing on 17 April 2006 at Tel Aviv's old central bus station. Six Israeli civilians — Lily Yunes, 43, Viktor Erez, 40, Ariel Darhi, 31, Binyamin Haputa, 47, David Shaulov, 29, and Philip Balhasan, 45 — were killed and a seventh, Lior Anidzar, 26, was gravely injured and died a month later. Some 68 other civilians were injured.

Since 2004 Palestinian armed groups in the Gaza Strip have increasingly launched homemade Qassam rockets into the south of Israel. To date, at least eight Israeli civilians, four of them children, have been killed and dozens injured in such attacks.

The first victim was a four-year-old child, Afiq Zahavi-Ohayon, who was killed on 28 June 2004 when a Qassam rocket launched by Palestinian armed groups landed near his kindergarten in the Neve Eshkol neighbourhood of the town of Sderot in the western Negev region of southern Israel. Three months later, on 29 September 2004, two other children, two-year-old Dorit Inso and her four-year-old cousin Yuval Abebeh, were killed when a Qassam rocket landed near their home where they were playing.

Since late 2005, Palestinian armed groups have increased the number of Qassam rocket attacks. In November 2006, such attacks killed two Israeli civilians in Sderot — Fatima Slotzker, a 57-year-old mother of two, who was killed in an attack on 15 November which also gravely wounded a 24-year-old man; and Yaakov Yaakobov, who was killed on 21 November when one of seven Palestinian rockets which fell in Sderot that day struck the factory where he worked.



Most of these rockets have fallen in open spaces, but scores have struck homes and public buildings in and around Sderot, causing significant damage. Since mid-2004, all Palestinian armed groups have claimed responsibility for launching Qassam rockets, but since late 2005 those mostly responsible have been the al-Aqsa Martyrs Brigades and the armed wing of Islamic Jihad. However, the armed wing of Hamas claimed responsibility for the rocket which killed Fatima Slotzker on 15 November. The group said that the attack had been in response to the recent killing of Palestinians in Beit Hanoun.

Qassam rockets are metal tubes, typically one or two metres in length, which are filled with explosives. They are primitive, homemade unguided weapons, which cannot be accurately targeted. As such they are indiscriminate, and it is therefore unlawful to use them in or near a civilian area.

Israel has used lethal military attacks and house demolitions in response to the firing of Qassam rockets. In October 2004, for instance, after two Israeli children were killed by a Qassam rocket fired into Sderot, the Israeli army launched "Days of Penitence", a 17-day siege of Jabaliya refugee camp in the Gaza Strip in which they killed more than 100 Palestinians, a quarter of them children, and destroyed some 100 homes.

**A body is taken away from the scene of a suicide bomb attack at a Tel Aviv nightclub on 25 February 2005. Five Israeli civilians were killed and some 50 wounded in the attack carried out by a member of the Palestinian armed group Islamic Jihad.**



Large-scale Israeli military operations and attacks carried out in the Gaza Strip in 2006 with the stated objective of stopping or reducing Qassam rocket attacks resulted in the killing of large numbers of Palestinians, both civilians and members of armed groups, but did not reduce the number of rockets fired. For their part, Palestinian armed groups routinely stated that they were firing rockets into Israel in response to the killing of large numbers of Palestinians by Israeli forces in the Gaza Strip.

The prohibition on targeting civilians is absolute in international law. It applies to everyone at all times, including people under occupation as well as the occupying power. The failure of one side to observe its obligations does not absolve the other of its obligation to comply with international humanitarian law. Amnesty International has repeatedly called on the leadership of all Palestinian armed groups to cease attacking civilians, immediately and unconditionally, and on the PA to hold to account those responsible for such abuses.

## 6. Land-grabbing: Israeli settlements in the West Bank

Israeli settlements in the Occupied Territories and the response they provoke among Palestinians are at the root of widespread and ongoing violations of human rights.<sup>20</sup> These include the stringent restrictions that Israeli forces impose on the movement of Palestinians; the construction and maintenance of a network of “bypass” roads for use by Israeli settlers; the imposition of curfews, closures, blockades and checkpoints limiting the free movement of Palestinians and many other aspects of daily life; the destruction of homes, land and other property; the unlawful confiscation and appropriation of Palestinian land; and the ongoing construction of the fence/wall which slices through the West Bank. Such measures have effectively choked the Palestinian economy and caused widespread poverty and unemployment among Palestinians.

The Israeli authorities’ claims that they need the hundreds of military checkpoints and blockades between towns and villages in the West Bank to protect the security of Israel are spurious.<sup>21</sup> In fact, the barriers have been established to prevent Palestinians approaching Israeli settlements built unlawfully on occupied Palestinian land and accessing the roads which connect the settlements to each other and to the territory of Israel.

### NABLUS: A BESIEGED TOWN

Nablus, home to some 120,000 Palestinians, is surrounded by Israeli settlements and Israeli forces control all movement of Palestinians in and out of Nablus and neighbouring villages, using military checkpoints and blockades. This impacts negatively on all the Palestinian inhabitants, whether students attending Nablus’ university, patients needing access to the town’s hospital, residents seeking access to their farms in nearby villages, and all others wishing to come and go from the town. Access to work, education, health facilities and many other aspects of life is uncertain at best and often impossible. As a result, the town, once a major centre in the West Bank, has suffered a major economic downturn.





Since its 1967 occupation of the West Bank and Gaza Strip, and its subsequent annexation of East Jerusalem, Israel has pursued a policy of establishing settlements throughout the Occupied Territories. Some 450,000 settlers are now living in the occupied West Bank, including some 200,000 in the East Jerusalem area, in violation of international humanitarian law and fundamental human rights provisions, including the prohibition of discrimination. Discrimination is a dominant feature of Israel's settlement policy.

The Israeli settlements and large areas of land around them are for the exclusive use of Israeli Jews. Palestinians cannot build on or farm or otherwise use this land. The settlements use a substantial amount of water, so depriving the Palestinian population of a scarce and crucial natural resource. The seizure and appropriation of land, water and other resources for Israeli settlements have had a devastating impact on the fundamental rights of the local Palestinian population, including their rights to an adequate standard of living, housing, health, education, work and freedom of movement.

There are more than 120 officially recognized Israeli settlements in the occupied West Bank, as well as more than 100 settlement "outposts", established without official government approval but effectively with government acquiescence. Unauthorized "outposts", once established, have often been granted official recognition as settlements by the Israeli

**Masked Jewish settlers throw stones at Palestinians in the West Bank city of Hebron, January 2006.**

*20 Israel and the Occupied Territories: The issue of settlements must be addressed according to international law (MDE 15/085/2003).*

*21 West Bank: Closure count analysis, UN Office for the Coordination of Humanitarian Affairs, September 2006.*

## SETTLEMENTS VIOLATE INTERNATIONAL LAW

Settlements violate Article 49 of the Fourth Geneva Convention, which stipulates: “The Occupying Power shall not deport or transfer parts of its own civilian population in the territory it occupies,” and Article 55 of the Hague Regulations, which forbids the occupying State from changing the character and nature of state property, except for security needs and for the benefit of the local population. Israel’s building of settlements, roads and related infrastructure for Israelis in the occupied West Bank does not meet these two exceptional criteria. The Rome Statute of the International Criminal Court includes among the war crimes within the jurisdiction of the court the “transfer, directly or indirectly, by the Occupying Power of parts of its own civilian population into the territory it occupies... when committed as part of a plan or policy or a part of a large scale commission of such crimes”. (Article 8(2)(b)(viii))

government. Indeed, although the government undertook to freeze settlement growth and dismantle unauthorized “outposts” as part of the 2003 Road Map peace initiative, in practice the construction and expansion of settlements and “outposts” has continued unabated. In September 2006 the Israeli government issued tenders for the construction of 700 new homes in West Bank settlements. The next month more than 3,500 housing units were under construction there. Meanwhile, dozens of “outposts” have been set up or expanded in recent years.

**UN Security Council  
Resolution 465 (of 1 March  
1980) called on Israel**  
*“... to dismantle the existing  
settlements and in particular  
to cease, on an urgent basis,  
the establishment,  
construction and planning of  
settlements in the Arab  
territories occupied since  
1967, including Jerusalem.”*

The international community has long recognized the unlawfulness of the Israeli settlements in the Occupied Territories and has repeatedly called for their removal. However, due to opposition from the USA and others, to date it has failed to take any measures to implement UN resolutions on the issue and Israel has disregarded calls for the freeze and dismantlement of settlements. In fact, most Israeli settlements in the Occupied Territories were built after the 1980 UN Security Council resolution was passed. The greatest increase of settlement infrastructure and settler population took place during the Oslo peace process (1993-2000), prior to the outbreak of the 2000 intifada.

In the past six years, the expansion has continued in the West Bank. While the removal of some 8,000 Israeli settlers from the Gaza Strip in August 2005, known as the “disengagement plan”, attracted wide international attention and was applauded as a step in the right direction, the expansion of Israeli settlements in the West Bank has gathered pace virtually unnoticed.

## 7. Gaza: illusory ‘disengagement’

In August and September 2005 the government of Prime Minister Ariel Sharon required all Israeli settlers to withdraw from the Gaza Strip, deploying troops to enforce this and bulldozing vacated settlers’ homes and former Israeli military bases. Shortly afterwards, the same government declared a formal end to military rule, describing the Gaza Strip as a “foreign territory” and contending that Israel was no longer bound by its obligations as an occupying power.

However, the removal of Israeli settlements has not released the Gaza Strip from Israel’s grip. Israeli forces remain in effective control of the Gaza Strip, controlling all points of entry



and exit for people and goods, as well as Gaza's territorial waters and airspace. Israel does not allow the Gaza Strip to have a seaport. It put the airport in Gaza out of use in 2001. It only allows goods to enter or leave Gaza via Israel. The Israeli authorities also declared that they have the right to enter Gaza militarily at any time; they did so within six months of the removal of settlements. Recently, Israeli forces have carried out military incursions and attacks inside the Gaza Strip on a daily basis, killing hundreds of Palestinians, arresting many others, and destroying hundreds of homes and other property.

As the occupying power, Israel remains bound by its obligations under the Fourth Geneva Convention, which prohibits reprisal attacks, as well as killings, ill-treatment and collective punishment of protected persons – that is, the Palestinian residents of the occupied West Bank and Gaza Strip. The major military operation which Israeli forces launched in Gaza in June 2006 included bombing of civilian infrastructure and incursions into densely populated areas. During the operation, Israeli forces systematically violated fundamental principles of international law, notably the principles of proportionality and civilian immunity.

**Israeli border police remove a Palestinian farmer during a demonstration in the West Bank village of Deir Samit against the construction of the Israeli fence/wall, September 2004. Israeli construction crews, seen in the background, had uprooted several Palestinian-owned olive groves to make way for the fence/wall.**



## 8. Creating facts on the ground: the fence/wall

**A**ccording to the Israeli authorities, the fence/wall is “a defensive measure, designed to block the passage of terrorists, weapons and explosives into the State of Israel.” Had this been the purpose, the fence/wall should have been built on the Green Line, the internationally recognized demarcation line between the State of Israel and the occupied West Bank.

Instead, some 80 per cent of the fence/wall is being built on Palestinian land inside the West Bank, in some places up to 20km east of the Green Line. Its route has been determined by the presence and location of Israeli settlements in the West Bank. Most Israeli settlements in the West Bank, including those in East Jerusalem, and large areas of land around them are being hived off from the rest of the West Bank by the fence/wall, apparently with a view to annexing them to Israel.

*“The settlements within the population centres would remain under Israeli control and become part of the state of Israel.”*

**Israel’s Prime Minister Ehud Olmert, 23 May 2006<sup>22</sup>**

The fence/wall encircles Palestinian towns and villages, cutting off communities and families from each other, separating farmers from their land and Palestinians from workplaces, education and health facilities and other essential services. The total route of the fence/wall runs for some 700km – twice the length of the Green Line – with barbed wire, ditches, large trace paths and tank patrol lanes on each side, as well as additional buffer zones and no-go areas of varying depths.

Because much of the fence/wall runs so far inside the West Bank, large areas of fertile farmland and whole Palestinian villages have become caged between the fence/wall and the Green Line, in enclaves usually referred to as “seam zones”. Palestinians who live in these “seam zones” now require permits from the Israeli authorities to continue to live in their own homes.

Access though the fence/wall is restricted by a network of gates and a system of special permits. Palestinians must obtain these permits from the Israeli authorities in order to access their homes and any of their land that is located between the fence/wall and the Green Line. Amnesty International field research in the area along the fence/wall in 2006 and in previous years revealed a pattern of increased restrictions, denial of permits to farmers whose land is in a “seam zone”, denial of passage through the gates to permit holders by soldiers at the gates, failure to open the gates at the appointed times, and regular functioning of only half or less of the existing gates.

<sup>22</sup> President Bush and Prime Minister Ehud Olmert of Israel Participate in Joint Press Availability, White House press release, 23 May 2006.

<sup>23</sup> OCHA Special Focus: occupied Palestinian territory, UN Office for the Coordination of Humanitarian Affairs, November 2006.

### FENCE FACTS

In November 2006 a UN OCHA survey of 57 communities located close to the West Bank fence/wall in the north of the West Bank found that:<sup>23</sup>

- » 60 per cent of farming families with land to the west of the fence/wall could no longer get to it;
- » 30 of the 57 communities have no direct or regular access to their land;
- » only 26 out of 61 existing gates are open for Palestinian use all year round;
- » gates are only open for 64 per cent of the officially stated time.





Even those who do manage to obtain permits to access their land face other obstacles which make it difficult or impossible for them to cultivate their land effectively or at all. Gates are often inconveniently located so that farmers have to walk several kilometres to and from their land, a difficult or impossible undertaking for all but the able-bodied. Tractors and other vehicles are rarely permitted through the gates, severely restricting the movement of agricultural produce. Permits to access cultivable land are often given to parents who are too elderly to farm the land but denied to their children and other younger family members who could do the farming for them.

In 2003, the UN General Assembly passed a resolution demanding that Israel halt construction of the fence/wall. It referred the case to the International Court of Justice (ICJ), which in its Advisory Opinion of July 2004 determined that the fence/wall violates international law. The Israeli authorities have disregarded the ICJ's finding and recommendations, and continued with the construction of the fence/wall. Since June 2004 the Israeli High Court of Justice has issued some rulings according to which the Israeli authorities must make minor modifications to certain sections of route of the fence/wall. However, even these minor changes have not all been implemented.

**A Palestinian woman walks by the fence/wall which slices through the Jerusalem suburb of Abu Dis, February 2004.**

## 9. Under siege: denial of social and economic rights

*“Israel... has the obligation to cease forthwith the works of construction of the wall being built by it in the Occupied Palestinian Territory, including in and around East Jerusalem. Moreover, in view of the Court’s finding... that Israel’s violations of its international obligations stem from the construction of the wall and from its associated régime, cessation of those violations entails the dismantling forthwith of those parts of that structure situated within the Occupied Palestinian Territory, including in and around East Jerusalem...”*

**International Court of Justice,  
July 2004<sup>24</sup>**

Through a combination of administrative measures and physical barriers, which have increased significantly in effect and intensity over the past six years, Israel has virtually halted the movement of Palestinians within the Occupied Territories. A draconian regime of permits, closures, blockades, military checkpoints, curfews and a barrage of other restrictions often prevent Palestinians from leaving their homes or the immediate surrounding areas, and have led to the collapse of the Palestinian economy. These restrictions contravene Israel’s obligations under international human rights and humanitarian law to protect freedom of movement and not to discriminate against or inflict collective punishment on the population of an occupied territory. They deprive Palestinians of their right to an adequate standard of living and of their right to work and to provide for their families, and of essential health and education services.

Although currently seen as a response to the intifada, movement restrictions have historically increased in parallel with the expansion of Israeli settlements. Moreover the intifada was itself partly fuelled by increasing movement restrictions imposed in the 1990s. While the government of Israel maintains that the closure system is necessary for the security of Israel, its fundamental purpose is to provide security for the illegal Israeli settlements of the West Bank. Checkpoints, roadblocks and blockades are primarily situated near settlements and settlers’ roads.

In recent years Israel has increasingly instituted a parallel road system. The main roads of the West Bank are for Israeli cars and military vehicles, whereas Palestinians are forced to use secondary roads, often in poor condition, and need permits to travel between West Bank towns and villages. The categories of people who are eligible for permits and the procedures for application are often arbitrary and frequently change as new layers of restrictions are added.

In August 2003 there were some 300 checkpoints and roadblocks. By mid-2005 there were 376. In October 2006, OCHA reported 528 checkpoints and barriers in the West Bank, an increase of about 40 per cent on the previous year.

Since early 2006 Israel has imposed additional restrictions on the movement of Palestinians in the Jordan Valley, the eastern strip of the West Bank, making access and movement in the area subject to a new regime of permits which are only available to Palestinians listed as residents of the area. Palestinians who own land in the Jordan Valley but live elsewhere can no longer access their land.

Freedom of movement for people and goods is an essential requirement for any functioning economy. Even if all the blockades were lifted immediately and free movement allowed, it would take a long time for the Palestinian population to resume a normal life and rebuild an economy that has been virtually destroyed by years of siege. Long-term investment would be required to reverse the dramatic increase in poverty and unemployment. This will only be possible if Israel restores freedom of movement in the Occupied Territories.

<sup>24</sup> Legal consequences of the construction of a wall in the occupied Palestinian territory, International Court of Justice, 9 July 2004.

The World Bank had already warned in 2004 that Palestinians were suffering “the worst economic depression in modern history”. It attributed this to Palestinians losing so much of



their agricultural land to Israeli settlements and the fence/wall, their reduced ability to export what they produced because of closures and travel restrictions, and the inability of many people to reach workplaces. The World Bank warned that unless Israel's restrictions on the freedom of movement and goods were overhauled, the "disengagement" would have "very little impact" on Gaza's economy and "would create worse hardship than is seen today."

In addition to the increased time, effort and cost involved, journeys are also not without risk. To enforce closures and curfews, Israeli forces often detain, beat or ill-treat Palestinians at checkpoints, or confiscate their vehicles and identity cards, or even open fire on them.

Closures and curfews have also made family connections hard to maintain. Malnutrition and other poverty-related diseases have increased. Palestinian children have been unable to attend school for prolonged periods, violating their right to education and undermining their future prospects. As impoverished families seek all possible means of adding to household income, child labour is reported to have increased.

Amnesty International has urged the Israeli government to lift the current regime of restrictions on the movement of Palestinians and goods. Restrictions may be imposed only

**An Israeli soldier stops a Palestinian man at the Beit Iba checkpoint near the West Bank city of Nablus, 31 May 2006.**





**A Palestinian ambulance worker is stopped and searched at an Israeli checkpoint outside the West Bank town of Jenin, December 2005.**

in relation to a specific security threat and then must be non-discriminatory and proportionate in impact and duration. They should not obstruct the freedom of movement required to maintain an adequate standard of living or have a negative impact on the Palestinians' fundamental rights, including the right to work.<sup>25</sup>

## 10. Under the rubble: house and property destruction

<sup>25</sup> *Israel and the Occupied Territories: Surviving under siege — The impact of movement restrictions on the right to work* (MDE 15/001/2003).

<sup>26</sup> *Israel and the Occupied Territories: Under the rubble: House demolition and destruction of land and property* (MDE 15/033/2004).

Demolition of Palestinian homes, a long-standing Israeli policy, has been taking place at an unprecedented level since the beginning of the intifada.<sup>26</sup> Israeli security forces have destroyed more than 5,000 Palestinian homes and hundreds of workshops, factories, public buildings and other properties throughout the West Bank and Gaza Strip. They have bulldozed vast areas of cultivated land, uprooting olive groves and orchards, and flattening greenhouses and fields of growing crops. Tens of thousands of Palestinians, often the poorest and most disadvantaged, have been made homeless or have lost their livelihood. Most of the



## DELAYS AND DETOURS

Trips of a few kilometres – to get to work, school or the doctor – take hours, where they are possible at all, following lengthy detours to avoid areas near Israeli settlements and settlers' roads (known as "bypass roads"), which connect the settlements to each other and to Israel and which are prohibited to Palestinians. The journey from Hebron to Jerusalem, which once took 20-30 minutes on the main road, now takes three to four hours, sometimes longer, and generally involves four or five vehicle changes because of blockages and forced detours on the secondary roads that have to be used. With the proliferation of settlements and bypass roads throughout the Occupied Territories, the prohibited areas have multiplied. Where settlements are close to Palestinian villages, movement in and out of these villages is even more restricted.

demolished houses were the homes of refugee families, who previously lost their homes when they were forced to flee in the war that followed the creation of Israel in 1948. Tens of thousands of other houses are under threat of demolition, their occupants living in fear of losing their home.

House demolitions are usually carried out with little or no warning, and families are seldom given time to salvage their belongings.

In most cases the justification given by the Israeli authorities for the destruction is "military/security needs". This is an overbroad definition which does not comply with the requirement of international humanitarian law, which forbids the destruction of property other than in exceptional cases when "rendered absolutely necessary by military operations."

The largest single demolition operation carried out by the Israeli army was in Jenin refugee camp, in the north of the West Bank, in April 2002. In the space of a couple of days the army completely destroyed the al-Hawashin quarter and partially destroyed two other quarters of the camp, making homeless more than 800 families — some 4,000 people. The army said that the presence of members of Palestinian armed groups in the refugee camps justified the destruction. Aerial photographs showed that the demolitions took place after armed clashes between the army and gunmen had ended.<sup>27</sup>

In Rafah, in the south of the Gaza Strip, Israeli forces destroyed more than 2,000 homes between 2001 and 2005, leaving more than 10,000 people homeless. The Israeli authorities claimed that only specific houses used by Palestinians to shoot at Israeli soldiers or as cover for arms smuggling tunnels were targeted. However, often large numbers of houses were destroyed at a time. In May 2004 the army bulldozed close to 300 homes in one operation. The scale and pattern of the destruction indicated that the aim was to expand the buffer zone along the Gaza-Egypt border – as indicated by Israeli army Major-General Yom Tov Samiah in an interview with Israel Radio in January 2002: "Three hundred meters of the Strip along the two sides of the border must be evacuated... Three hundred meters, no matter how many houses, period."

Israeli army officials routinely described the destroyed houses as "abandoned structures", seeking to underplay the extent of the destruction and its impact on those made homeless by

<sup>27</sup> *Israel and the Occupied Territories: Shielded from scrutiny: IDF violations in Jenin and Nablus* (MDE 15/143/2002).



**Palestinians search the rubble of a building destroyed by an Israeli bombardment in the town of Rafah, Gaza Strip, 21 September 2006.**

it. Over the years, Amnesty International has frequently visited recently demolished homes. The sight of pots of food, half-full bottles of soft drinks or shampoo, newspapers from the previous day, smashed fridges and television sets, clothes, children's toys and schoolbooks lying among the rubble have directly contradicted Israeli army claims that the houses were "unpopulated" or "abandoned" prior to their destruction.

Vast areas of agricultural land have also been bulldozed by the Israeli army, ostensibly driven by "military/security needs", including to make way for the fence/wall. The destruction has deprived tens of thousands of already impoverished Palestinians of a crucial means of subsistence. The uprooting of hundreds of thousands of olive, citrus and other trees, and the razing to the ground of shops, workshops and factories, will have severe economic repercussions for years to come.

More recently, since mid-2006, Israeli forces have adopted a policy of telephoning Palestinians in the Gaza Strip to warn them that their home is about to be bombed and that they should leave. Hundreds of families have received such calls. In scores of cases the houses were indeed bombed by Israeli aircraft, usually F16 fighter jets, soon after the telephone call was received. Often, neighbouring houses have been partially destroyed and in some cases those living in them killed or injured.

In other cases, Palestinian homes have been destroyed on the grounds that their occupants lack a building permit — some 1,300 Palestinian homes have been demolished for lack of building permits in the Occupied Territories in the past six

years, including some 400 in East Jerusalem. At the root of such demolitions are land and planning policies that discriminate against Palestinians. In East Jerusalem it is virtually impossible for Palestinians to obtain permits to build homes on their own land. Meanwhile, new Jewish settlements have continued to be built and expanded on Palestinian land throughout the Occupied Territories in violation of international law. Even in cases where entire Israeli settlements – not just buildings – have been constructed in the Occupied Territories without building permits or government permission, the Israeli authorities have usually granted building permits after the event, in stark contrast to their treatment of Palestinians.

On 17 February 2005, the then Minister of Defense announced a cessation of punitive

**DESTROYING TANA**

In July 2005 the Israeli army demolished some 35 stone and metal structures or shacks in the village of Tana, near Nablus. Fourteen of the structures were home to villagers and the rest were used to store fodder or shelter sheep and goats, which provide the main source of livelihood for the village. A school, which had been built in 2001, was also demolished, along with two water reservoirs. The army took advantage of the absence of the villagers, who live a semi-nomadic life and spend the hottest months of July and August in nearby Beit Furik, to destroy much of their habitat. The reason given for the destruction was that the structures had been built without a permit.

house demolitions, referred to by the authorities as “deterrent” demolitions – that is, demolition of houses belonging to families of Palestinians known or suspected of involvement in attacks against Israelis. Between 2001 and 2005 the Israeli army had blown up more than 650 houses in accordance with this policy. The policy was eventually abandoned because it was considered more likely to fuel hatred than serve as a deterrent. It also constituted a form of collective punishment, which is expressly forbidden by international humanitarian law.

## 11. Impunity: justice denied

**P**rior to the current intifada, civilian deaths and injuries in the Occupied Territories were subject to at least cursory investigation by the Israeli authorities. Since 2000, however, the Israeli authorities have routinely failed to investigate allegations of unlawful killings and other abuses of Palestinians by Israeli forces and settlers. This failure to investigate and take corrective action has undermined the rule of law and denied justice to victims. Furthermore, extending impunity to the perpetrators has served to encourage abuses. It may also have impeded prospects for a peaceful solution to the conflict, as victims of abuses who are denied justice may decide to take the law into their own hands and seek revenge.

Israeli forces have killed thousands of Palestinians, many of them unlawfully, yet scarcely any such incidents have been investigated properly and fewer still have resulted in the perpetrator being brought to justice. At the same time, the Israeli authorities have used the most extreme measures, including assassinations, collective punishment, arbitrary detention and other actions that violate international law to punish Palestinians who orchestrate or carry out attacks against Israelis or are suspected of involvement in such attacks.

Tens of thousands of Palestinians have been arrested and thousands have been prosecuted and sentenced to up to life imprisonment on charges of involvement in such attacks or support for armed groups. Some 10,000 Palestinians are currently in Israeli prisons on such charges.

In the very few cases in which the Israeli authorities have conducted serious investigations into killings of Palestinians, resulting prosecutions have generally been unsuccessful or have resulted in the imposition of sentences that were not commensurate



**An Israeli soldier stands on top of an armoured personnel carrier near Mefalsim kibbutz on the edge of the Gaza Strip, 25 November 2006.**

with the gravity of the offence. In November 2005, for example, an Israeli army officer was acquitted of all charges arising from the killing of a 13-year-old girl, Iman al-Hams, who was shot dead by Israeli soldiers in October 2004 while walking near a fortified Israeli army tower opposite her school at Rafah in the Gaza Strip. According to an army communication recording of the incident, the commander had stated that “anything that’s mobile, that moves in the zone, even if it’s a three-year-old, needs to be killed”. Neither the commander nor any other soldier was charged with the girl’s murder because the court accepted that the commander had not breached regulations on when to open fire. The court focused on whether he had acted improperly by repeatedly shooting at the child as she lay injured or dead. According to the tape, he did so to “confirm the kill”. The case was only investigated because a soldier complained about the commander’s shooting of the girl.

Amnesty International is not aware of a single Israeli soldier or member of other security forces who has been convicted of murdering a Palestinian in the Occupied Territories. In rare cases, soldiers have been convicted of manslaughter or of lesser offences, such as “illegal use of a weapon” or “unbecoming conduct”.

In one of these cases, the victim was a UK national, and the investigation and subsequent prosecution appeared to result largely from the relentless efforts by the victim’s family to generate international pressure for a proper investigation into the killing. The victim, student and peace activist Tom Hurndall, was shot in the head by an Israeli sniper in April 2003 in Gaza while he was escorting a group of children. He died in January 2004.

The initial Israeli army report claimed that there were no grounds for an investigation because Tom Hurndall was in camouflage and wielding a gun when shot. Eyewitness



## ASMA AND AHMAD AL-MUGHAYR

Sixteen-year-old Asma al-Mughayr and her 13-year-old brother Ahmad were shot dead within minutes of each other on the roof terrace of their home in Rafah on the morning of 18 May 2004. Each was killed by a single bullet to the head, Asma while taking clothes off the drying line and Ahmad while coming to her aid. All available information indicates that the bullets which killed them were fired from the top floor of a nearby house, the highest building in the area, which had been taken over by Israeli soldiers shortly before the two children were shot. According to the children's family, only single gunshots were heard. Ahmad ran downstairs to call for help after Asma was shot, and he was shot as he re-emerged onto the roof terrace. In the nearby house, an empty Israeli army ammunition box, spent bullet cases and leftovers from Israeli army food rations were found, next to the holes which the soldiers had pierced in the walls of the house to use as sniper positions. These holes gave a clear view of the al-Mughayr roof terrace. Although such information was submitted to the Israeli army, no investigation is known to have taken place and the army did not even contact the family to take their testimony.

statements and video footage which clearly showed that he was wearing a bright orange jacket identifying him as a peace activist exposed this as a lie and the allegations were withdrawn. Eventually, Sergeant Taysir Hayb was tried and convicted in 2005 on charges of manslaughter, obstruction of justice, providing false information and unbecoming conduct. His claim that he had been given orders allowing him to shoot unarmed civilians was not investigated, and no charges have been brought against any of Sergeant Hayb's superior officers. He received an eight-year prison sentence.

Israeli settlers have almost never been held accountable for frequent attacks against Palestinians and their property and against Israeli and international human rights activists who try to help Palestinians. Such attacks have increased in recent years. Israeli soldiers and police have rarely taken action to defend Palestinians or even Israeli nationals and international supporters from settlers' attacks. Such impunity over the years has encouraged

## DENIAL OF REDRESS

Impunity in practice is bolstered by impunity in law. Israel not only fails to launch criminal investigations into human rights violations against Palestinians. It also protects itself by law from state liability for civil actions. The Civil Torts (Liability of the State) Law, passed in July 2005, holds that Palestinians in the West Bank and Gaza Strip are "residents of a conflict zone". As such, they are denied the right to claim compensation for death, injury or damage to property caused by Israeli forces. The law applies retroactively to September 2000 and applies only to Palestinians, not to Israelis who reside in the Occupied Territories. The provisions of this law violate Israel's commitments under international human rights law to provide an effective remedy to victims of human rights abuses.

a proliferation of such abuses. Even in rare instances where investigations have been opened and evidence compiled, the security forces have tended not to pursue the cases.

In a rare case that actually went to trial, Israeli settler Yehoshua Elitzur was convicted in August 2005 of killing Sayel Jabara, a 46-year-old Palestinian, in September 2004. Although witnesses agreed that Yehoshua Elitzur was armed with an M16 assault rifle and deliberately shot dead the unarmed man for no apparent reason, the court contended that there was no proof that he intended to kill Sayel Jabara, and convicted him of manslaughter, rather than murder. Yehoshua Elitzur, who had been free on bail since the day after his arrest, did not appear in court to hear the verdict. He is not known to have been rearrested or to have served any sentence.

**A Palestinian man is blindfolded and arrested at a checkpoint in the West Bank city of Hebron, 26 September 2006.**

## 12. Detentions of Palestinians by Israel

Tens of thousands of Palestinians have been arrested by Israeli forces in the past six years. Some 10,000 are currently in prison, including prisoners sentenced in previous decades. Most were convicted of security offences – ranging from rock throwing to armed attacks – and are serving sentences imposed by Israeli military courts whose proceedings do not meet international standards for fair trial. The overwhelming majority of cases before Israeli military courts are decided in plea-bargain, an indication that both defendants and lawyers feel that they have little hope of obtaining a fair trial.

As of October 2006, about 700 Palestinians were being held in “administrative detention”, a procedure under which detainees are held without charge and with no intention of bringing the detainees to trial. Administrative detention orders are issued by Israeli army commanders for terms of up to six months and can be renewed indefinitely. Thousands of Palestinians have been detained administratively since 2000, including some who were placed under administrative detention immediately after completing prison sentences.

Family visits for Palestinian detainees are severely restricted, and in many cases forbidden, as relatives are often refused permits to enter Israel where the detainees are held.

Israel has justified its use of administrative detention by citing Article 78 of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of



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War, which allows the internment of protected persons “for imperative reasons of security”. Israel’s treatment of administrative detainees, including the location and conditions of their detention, contravenes not only international human rights standards but also the provisions of the Fourth Geneva Convention. For many years, Israel has abused the system of administrative detention, using it to punish without charge or trial those it believes have acted against its interests, rather than as an extraordinary and selectively used preventative measure.

**Palestinian women hold pictures of their relatives who are in Israeli prisons, during a demonstration at the ICRC headquarters in Gaza City, 24 July 2006.**

## DETENTION OF ‘ETAF ‘ALYAN: NO END IN SIGHT

‘Etaf ‘Alyan, aged 42, is serving her third consecutive administrative detention order. She was arrested on 22 December 2005 by the Israeli army at her house in the West Bank town of Ramallah, and has since been detained without charge or trial. Her administrative detention order was renewed at the end of October 2006 for a further three months. Her daughter ‘Aisha, who had joined her mother in prison in March 2006, turned two in September. Under Israeli Prison Service regulations, infants are not permitted to stay with their mothers in prison once they have reached this age, and ‘Aisha was removed from Hasharon prison and returned to Ramallah, where she is now being looked after by her grandmother. ‘Etaf’s husband Walid continues to be denied visiting rights to his wife. ‘Etaf Alyan has been detained for a total of more than 11 years.





**Masked Palestinian militants of the Al-Aqsa Martyrs Brigades hold their weapons during a press conference in the southern Gaza Strip town of Rafah, 30 November 2006.**

## 13. Increased lawlessness and impunity in areas run by the Palestinian Authority

**T**he Palestinian population has suffered from the climate of impunity fostered by the occupying power and the PA. The rule of law is failing in the Gaza Strip and in areas of the West Bank under the jurisdiction of the PA, leading to increasingly frequent killings of Palestinians in factional fighting and in the context of family feuds; the proliferation and reckless use of firearms, which pose a growing danger to the population; abductions of Palestinians and foreign nationals by armed groups; and continuing abuses against Palestinian women in the context of family violence.

Inter-factional violence within the PA and its security forces, and between political factions and armed groups, increased in 2005 in the run-up to the



parliamentary elections, and continued in 2006 after Hamas won the elections in January. Armed confrontations between members of the security forces and armed groups loyal to the new Hamas administration and those loyal to the defeated Fatah party of President Mahmoud Abbas frequently resulted in the death or injury of bystanders.

Abductions of both Palestinians and foreign nationals have increased sharply since late 2004 amid growing lawlessness. All foreign nationals and most Palestinians have been released unharmed within hours or days, in some cases in exchange for minor political concessions. Those responsible for such abuses have rarely been brought to justice.

These abuses have been compounded by inaction on the part of the Palestinian security forces and judiciary, who have consistently failed to act against perpetrators of grave and widespread human rights abuses.

The PA's ability to fulfil its duties on both the social-economic and security fronts has been severely constrained by factors resulting from the Israeli occupation. However, this is only part of the problem. In practice, the PA's security forces have not only failed to stop and prevent killings, abductions and other abuses by armed groups, they have also been directly responsible for committing human rights violations, including arbitrary detentions and torture and other ill-treatment of detainees. The judiciary, for its part, has been unable or unwilling to hold to account those responsible for abuses, allowing impunity to become increasingly and deeply entrenched.

Since the beginning of the intifada, more than 100 Palestinian civilians have been killed on suspicion of collaborating with Israeli forces to assassinate other Palestinians. Most of these killings have been carried out by armed groups. Some of the victims were publicly lynched; others died in PA custody, apparently as a result of torture, or were killed "while attempting to escape". Branding victims as "collaborators" has usually ensured that the killings go unpunished. The stigma attached to collaboration means that families of the victims seldom dare to complain openly; those who have done so have usually found the PA authorities unwilling to investigate.

The fact that some of these killings were carried out in broad daylight, in public, by people who made no attempt to conceal their identities, indicates that the murderers were confident that they would not be held to account.

## 14. Torn apart: preventing family unification

In 2006 the Israeli Supreme Court upheld the Citizenship and Entry into Israel Law which prevents Palestinian-Israeli couples from living together in Israel. Effectively, the law forces Israelis married to Palestinians to leave their country or be separated from their spouses and children.<sup>28</sup>

Under the law, Palestinians married to Israeli citizens cannot obtain citizenship, permanent residency or even temporary residency status in Israel; in practice, this usually means that they cannot enter Israel at all, even temporarily. The law also prevents children

<sup>28</sup> *Israel and the Occupied Territories: Torn apart – Families split by discriminatory policies* (MDE 15/063/2004)



**A Palestinian boy who had been throwing stones flees as an Israeli tank opens fire on the outskirts of Balata refugee camp in Nablus, West Bank, 2003.**

born in the West Bank and Gaza Strip from living with an Israeli parent in Israel.

The law constitutes a further step in Israel's long-standing policy aimed at restricting the number of Palestinians who are allowed to live in Israel and in East Jerusalem. Israeli governments have long pursued policies that have made it nearly impossible for Palestinian citizens and residents of Israel to obtain family unification and live in their own country with their spouses and children. Tens of thousands of Palestinians from the West Bank and Gaza Strip have thus been forced to live with their spouses in Israel and in East Jerusalem illegally for years or even decades, with no health insurance or other social rights, every day fearing arrest, expulsion and separation from their loved ones.

The Israeli government has justified the law on "security" grounds, contending that the law is aimed at reducing the potential threat of attacks in Israel by Palestinians. However, Israeli ministers and officials have repeatedly said that the percentage of Palestinian citizens of Israel constitutes a "demographic threat" and a threat to the Jewish character of the State of Israel. In some cases, they have even called for the expulsion of Palestinians. Such considerations seemingly played a major part in the decision to pursue this discriminatory law, which adds to the body of laws and practices which discriminate against Palestinian citizens of Israel and against Palestinians in the Occupied Territories. It effectively institutionalizes racial discrimination based on ethnicity or nationality.

Under separate provisions, the Israeli authorities deny Palestinians in the Occupied Territories family unification with foreign spouses. Since the beginning of the intifada, Israel has refused to grant visitor or residence visas to foreign spouses of Palestinians in the Occupied Territories. More than 120,000 requests for family

unification have not been processed. This "freeze" policy has separated many thousands of families. Spouses who have been unable to obtain family unification are living "illegally" in the West Bank, with no legal status and at constant risk of deportation, and dare not leave even for medical treatment for fear that they will not be allowed to return. Some who have left for family visits abroad have been refused re-entry and have been separated from their spouses and children for years.

## 15. Women and conflict

**P**alestinian women in the West Bank and Gaza Strip have been facing a triple challenge to establish their rights: as Palestinians living under a military occupation which controls every aspect of their lives; as women living in a society governed by patriarchal customs; and as unequal members of society subject to discriminatory laws. Decades of Israeli occupation have dramatically curtailed development opportunities for the Palestinian population in general and have contributed to increased violence and discrimination against Palestinian women in particular.

Since the beginning of the intifada, the closures and movement restrictions imposed by Israel have had particularly harsh consequences for women and girls. Under siege and under strain, with extended families often confined in the same small house for days on end, the potential for family violence, including sexual abuse, is heightened. Unprecedented levels of poverty and unemployment, as well as the increased militarization of the conflict, have aggravated existing problems of gender inequality in Palestinian society. Institutional protection mechanisms have been weakened by Israel's destruction of much of the PA's security infrastructure and institutions. This, combined with the blockades and restrictions on movement, have made it difficult and often impossible for women and girls who are at risk of being killed or harmed by family members to escape to safety. In most cases, those who commit "honour" crimes benefit from impunity, as the PA has been unable or unwilling to address such issues.

Palestinian women have also had to shoulder most of the burden of caring for the tens of thousands of injured, a task made more difficult by increasing levels of poverty, poor medical facilities and Israeli army blockades hampering access to hospitals and doctors. In the absence of a social security system, thousands of women whose husbands have been killed or imprisoned are forced to depend on relatives and charities for survival. Under current conditions, such dependence leaves these women particularly vulnerable to pressure and control by the male relatives on whom they and their children depend for their survival. Both Israeli and Palestinian authorities have failed to take measures to curb or ameliorate the impact of the conflict on women.

Delays and blockages at Israeli army checkpoints have caused multiple complications for women in need of medical care. In the first four years of the intifada, scores of Palestinian women were forced to give birth at Israeli checkpoints after being refused passage. Dozens of babies died due to lack of medical assistance. Women have also died because of lack of medical treatment. The fear of not being able to reach hospital in time to give birth has become a major source of anxiety for pregnant Palestinian women and their families throughout the Occupied Territories.

Existing laws discriminate against women and provide little or no protection to victims of family violence. Palestinian law enforcement and judicial institutions have often been unwilling or unable to afford protection or ensure women's rights. Although comprehensive comparative data is not available, "honour" killings in the Occupied Territories are believed to have increased over the past six years. Complaints, investigations and prosecutions in such cases are rare.

*"This is the point where two systems of subordination – occupation and patriarchy – converge in the Occupied Palestinian Territories: women in confronting the former submit to the latter".*

**UN Special Rapporteur on violence against women, its causes and consequences, February 2005**





**Palestinian women demonstrating  
outside the UN office in Gaza City,  
September 2004.**

Palestinian women living under Israeli occupation also find it more difficult to address or to complain about issues concerning family violence and “honour” for fear that they will be criticized for bringing attention to their personal problems at a time when people are preoccupied with wider national issues.

For women and girls who are at risk of being killed by their families, leaving their immediate surroundings, even for a short period, is often the only effective solution. However, as one non-governmental organization worker told Amnesty International: “In the past few years getting to the victims and getting the victims out of the danger area has been very difficult and at times totally impossible. These military blockades, curfews and checkpoints have caused the death of some women who could have easily been saved.”



## 16. Conclusions and recommendations

**T**he past six years have seen spiralling violence, poverty and despair in the Occupied Territories. Both sides have shown contempt for human rights. Prospects for a just and lasting resolution of the conflict appear to be remote.

The roots of the political crisis lie partly in the continuing disregard for human rights that has characterized the various peace initiatives, as well as in the daily conduct of the parties in conflict. Amnesty International urges all those involved – particularly the political leaders in both Israel and the Occupied Territories as well as the international community at large – to take urgent steps to end the policies and practices that have resulted in violations of human rights. In particular, it calls on those in positions of power and authority to show true leadership by putting forward a peace plan that puts respect for human rights at its core and could therefore offer hope for a just and durable solution to the conflict – and to work tirelessly to ensure that the plan becomes reality.

Amnesty International makes the following recommendations:

### To Israel:

- » End the use of all reckless and disproportionate force. In particular, halt immediately all aerial bombardment and shelling of civilian areas.
- » End the policy of deliberate killings of Palestinians suspected of involvement in attacks against Israelis as a substitute for the arrest and prosecution of such suspects.
- » End the policy of destruction of homes and other civilian property and infrastructure, through air attacks or other means, and all forms of collective punishment.
- » End the regime of closures in its current form, as well as other forms of restrictions on freedom of movement of people and goods that result in collective punishment. Such restrictions may only be imposed if they are absolutely necessary to respond to security threats, are non-discriminatory and proportionate in terms of their impact and their duration.
- » Cease the construction of the fence/wall inside the West Bank, including East Jerusalem, which results in permanent restrictions on the right to free movement of Palestinians and the arbitrary destruction or seizure of their property. Such a barrier, if required, should be built between Israel and the West Bank.
- » Immediately cease construction or expansion of Israeli settlements and related infrastructure in the Occupied Territories as a first step to removing Israeli civilians living in such settlements in the Occupied Territories, and provide them with compensation.
- » Ensure proper investigation of alleged violations by Israeli forces, and bring to justice anyone found responsible in fair trials.

### To the Palestinian Authority:

- » Take effective measures to prevent attacks by armed groups against Israeli civilians, notably the launching of rockets from the Gaza Strip into Israel and suicide bomb attacks.
- » Take effective measures to end inter-factional violence among Palestinian groups which has resulted in the killing and wounding of civilians, including children and other bystanders.
- » Ensure that allegations of abuses committed in the areas under PA jurisdiction are properly investigated and that anyone found responsible is brought to justice in fair trials and without the death penalty.

### To the international community:

- » Deploy an effective international human rights monitoring mechanism across Israel and the Occupied Territories to monitor the compliance of each party with its respective obligations under international law; report publicly; and recommend corrective measures to be adopted by the parties, other countries or international organizations.
- » Ensure accountability of both parties, in compliance with their obligations under international human rights and humanitarian law. Investigate and, where feasible, prosecute through the exercise of universal jurisdiction those responsible for war crimes or other crimes under international law.
- » Ensure that the occupying power fulfils its obligation to provide for the protection and welfare of the Palestinian population, and refrain from imposing sanctions that negatively affect the provision of humanitarian assistance to the Palestinian population. The international community and donor states providing humanitarian assistance to the PA, notably the USA and EU countries, must take immediate steps to minimize the adverse impact on human rights of their suspension of funding. They must ensure that emergency assistance essential to fulfilling fundamental human rights is never used as a bargaining tool to further political goals.
- » Immediately stop the sale or transfer of weapons to all parties until such time as guarantees can be secured that such equipment will not be used to violate human rights and international humanitarian law.
- » Ensure that any peace process includes concrete provisions that address fundamental human rights issues at the heart of the conflict, including the removal of Israeli settlements from the Occupied Territories; the dismantling of the fence/wall inside the West Bank; ending the closures; and in the long term a fair solution to the refugee question.



WHETHER IN A HIGH-PROFILE CONFLICT OR A FORGOTTEN CORNER OF THE GLOBE, AMNESTY INTERNATIONAL CAMPAIGNS FOR JUSTICE AND FREEDOM FOR ALL AND SEEKS TO GALVANIZE PUBLIC SUPPORT TO BUILD A BETTER WORLD.

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- Join Amnesty International and become part of a worldwide movement campaigning for an end to human rights violations. Help us make a difference.
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# Israel and the Occupied Territories

## Road to nowhere

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